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## Via ECF

The Honorable Barbara Moses, U.S.M.J.  
United States District Court  
Southern District of New York  
500 Pearl Street,  
New York, NY 10007

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July 30, 2021

Re: *De La Cruz v. Manhattan Parking Group LLC, et al.*  
Case No. 20-CV-00977

Dear Judge Moses:

We are counsel to Plaintiff and write, jointly with counsel to Defendants, in response to the Court's Order at Dkt. 64.

In view of the concerns raised by the Court, the parties have conferred regarding the terms of the proposed class settlement and, based on such discussions, intend to return to mediation with mediator Martin F. Scheinman to potentially renegotiate certain terms of the settlement. In order to have sufficient time to do so, and in view of the mediator's availability, the parties respectfully request that the hearing currently scheduled for August 6, 2021 be adjourned for 45 days, to a date on or after September 21, 2021. If the request is granted, counsel currently are available on September 21 (afternoon), 22, 29 and 30. The parties further request that the date by which to file the pre-conference submission be extended to a date three days prior to the rescheduled hearing date.

The parties are hopeful that by returning to mediation we will be able to restructure the settlement to satisfy the Court's concerns. There has been one previous request for adjournment, due to the parties' conflict on the prior hearing date, which was granted. All parties consent to the request.

We thank the Court for its consideration.

Respectfully submitted,

/s/ C.K. Lee

C.K. Lee, Esq.

cc: all parties via ECF

Application GRANTED to the extent that the conference now scheduled for August 6, 2021 is ADJOURNED to **September 22, 2021, at 11:00 a.m.** The parties' pre-conference submission is due no later than **September 17, 2021**. In light of the parties' intent to "return to mediation" in the interim, "to potentially renegotiate certain terms of the settlement," plaintiffs' unopposed motion for preliminary approval of the current proposed class action settlement (Dkt. No. 61) is hereby administratively DENIED, without prejudice to refile after the mediation.



Barbara Moses  
United States Magistrate Judge  
July 30, 2021